

REMARKS

Entry of this preliminary amendment is respectfully requested. This preliminary amendment accompanies a Request for Continued Examination (RCE) filed concurrently herewith. Claims 10-18 and 28-31 have been cancelled without prejudice to reconsideration in a continuing application. Claims 32-40 have been added. Reconsideration of the present application as amended is respectfully requested.

An Office Action with a mailing date of 24 December 2002 finally rejected the claims based on anticipation by U.S. Patent No. 5,561,318 to Gnade et al. (the Gnade reference). Of the claims considered in this Office Action, only claims 26 and 27 are presently pending for examination. The features of independent claim 26 not disclosed, taught, or suggested in the Gnade reference include "a porous layer comprised of a *nanoporous* material" (emphasis added). A "nanoporous material" is understood by those skilled in the art to be a structural/compositional feature. Thus, in addition to the reasons set forth in the prior response which are incorporated by reference herein, further grounds distinguish the invention defined by claim 26 from the Gnade reference. Dependent claim 27 is patentable for at least the reasons given in connection with the base claim 26.

Claims 32-40 define further inventive aspects of the present application and are believed to be allowable over the art of record.

In view of the forgoing, it is believed claims 26, 27, and 32-40 are in condition for allowance. Reconsideration of the present application as amended is respectfully requested.

Respectfully submitted:



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